

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JO SPAINHOWARD,)
)
PLAINTIFF,)
)
v.) CASE NO. 1:05-cv-517-F
)
GREEN TREE FINANCE, LLC,)
)
DEFENDANT.)

ORDER

This cause is before the Court on the Motion of Green Tree Servicing LLC to Compel Arbitration and Stay Proceedings (Doc. # 3). This motion was filed on June 1, 2005 by Green Tree Servicing LLC, the defendant incorrectly identified in the Complaint as Green Tree Finance, LLC. Initially it appeared that Plaintiff intended to oppose the motion due to financial concerns relating to the costs associated with arbitration. The parties have reached an agreement that Defendant will assume all costs associated with the arbitration. In light of that agreement, Plaintiff has filed a written response to the Motion of Green Tree Servicing LLC to Compel Arbitration and Stay Proceedings consenting to the arbitration of her claims.

The Court has reviewed this matter and is persuaded that it has subject-matter jurisdiction over this action. Moreover, the Court is satisfied that the Motion of Green Tree Servicing LLC to Compel Arbitration and Stay Proceedings (Doc. # 3) is due to be GRANTED. Accordingly, it is hereby ORDERED as follows:

1. Motion of Green Tree Servicing LLC to Compel Arbitration and Stay Proceedings (Doc. # 3) is GRANTED.
2. The parties to this action are hereby ORDERED to submit all controversies, claims, or disputes between them to arbitration in accordance with the terms of the agreement between them.
3. This action is STAYED pending the completion of the arbitration or the resolution of this dispute through negotiated settlement.
4. The parties are hereby ORDERED to file a jointly prepared report on the status of this case. The first such report shall be filed on **September 1, 2005**, and the parties shall thereafter file a jointly prepared report **on the first Tuesday of every month** until such time as the parties jointly stipulate that this action can be dismissed. The jointly prepared report shall indicate the status of the arbitration proceedings and the expected date those proceedings will be concluded.

DONE this the 7th day of July, 2005.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE